IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

WRIT PETITION NO : 27526 of 1995

Between:

1 Pedasingu Nageswara Rao S/o. Bapanaih
Bantumilli Mandal Krishna District.
2 Pedasingu Hymavathi W/o. Nageswara Rao
Bantumilli Mandal Krishna District.
3 Pedasingu Venkateswari d/o. Nageswara Rao
Bantumilli Mandal Krishna District . **..... PETITIONERS**

AND

1 The District Collector
Krishna District Machilipatnam
2 The Revenue Divisional Officer Krishna District
Machilipatnam
3 The Executive Engineer Krishna District
Machilipatnam Krishna District
4 The Mandal Revenue Officer
bantumilli mandal Krishna District
5 The Village Assistant, Chorampudi Village
Bantumilli Mandal Krishna District
6 Jalla Lakshminarayana
7 Ponnamanda Venkateswara Rao
(Respondents 6 & 7 are impleaded as per court order dt 9-4-96

in WPMP 3532/96) **.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to declare the action of the respondents in interfering with the cultivation activities of Fish/Prawn culture by the petitioners in their respective lands and the proceedings of the 1st respondent in C.C.No.838/95 dated 2.8.1995 as illegal, arbitrary, without authority, and violative of Articles 14,21 and 301 A of the Constitution of India and issue an order or direction or writ more particularly one in the nature of Writ Mandamus directing the respondents herein not to interfere with the cultivation activities of the petitioners in Fish/Prawn culture in their respective lands in R.S.No.s 1004/2, 1004/3,1005/2, 1006/3 and 1006/4 to an extent of Ac.5.24 cents situated at chorampudi village, Bantumilli Mandal, Krishna District.

Counsel for the Petitioners: M/SC.KODANDA RAM

Counsel for Respondents 1 to 5: GP FOR REVENUE

Counsel for Respondents 6 and 7: Sri P.R.Prasad

The Court made the following ORDER:

Heard learned counsel for the parties.

The grievance of the petitioners is that they were not being allowed to do the cultivation of fish and prawns in the lands belonging to them. There is no order passed by the respondents. Counter has not been filed. In these circumstances, the writ petition is disposed of with a direction that the respondents may not interfere with the legitimate activity of the petitioners except through due process of law. No order as to costs.

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(Bilal Nazki,J)

24th March, 2005

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To

1 The District Collector
Krishna District Machilipatnam
2 The Revenue Divisional Officer Krishna District
Machilipatnam
3 The Executive Engineer Krishna District
Machilipatnam Krishna District
4 The Mandal Revenue Officer
bantumilli mandal Krishna District
5 The Village Assistant, Chorampudi Village
Bantumilli Mandal Krishna District
6 Two C.Cs. to the Government Pleader for Revenue, High Court

of A.P., Hyderabad, (OUT).

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